

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Warren Banda

Case No.

Case: 2:23-mj-30477
Assigned To : Unassigned
Assign. Date : 12/1/2023
CMP: USA v BANDA (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 25, 2023 - October 27, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1542	False Statements in Application for U.S. passport
18 U.S.C. § 1028A	Aggravated identity theft
18 U.S.C. § 1001	Making false statements to the United States Government
18 U.S.C. § 911	Falsely and willfully represents himself to be a citizen of the United States

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: December 1, 2023

City and state: Detroit, MI



Complainant's signature

James Herdman, Special Agent, U.S. Department of State
Printed name and title



Elizabeth A. Stafford
Judge's signature

Elizabeth Stafford, United States Magistrate Judge
Printed name and title

CRIMINAL COMPLAINT IN SUPPORT OF AN ARREST WARRANT

I, James J. Herdman, having been duly sworn under oath, hereby depose and state as follows:

1. I am a Special Agent with the U.S. Department of State, Diplomatic Security Service (DSS), currently assigned to the Department of Homeland Security's (DHS) Document and Benefit Fraud Task Force. I have been employed as a Special Agent since June 6th, 2009. I completed the Federal Law Enforcement Training Center's Criminal Investigators Training Program where I received specialized training in conducting investigations of federal offenses. I also have training and experience in the enforcement of laws of the United States, including the preparation, presentation and service of complaints, search warrants, and arrest warrants. Among my current assignments within DHS Alliance are the investigation of false statements in applications for United States passports, false claims to United States citizenship, misuse of Social Security Administration numbers, misuse of United States passports, false claims in obtaining United States visas, and fraud-related activity in connection with identification theft/documents. I am familiar with the methods, routines, and practices of document counterfeiters, vendors, and other persons who fraudulently obtain or assume false identities.

2. The information contained in this affidavit is based upon my knowledge and observations, information provided by other law enforcement personnel, and database records. I have not included every fact known to me in this investigation.

3. This affidavit is submitted for the limited purpose of establishing probable cause in support of an arrest warrant charging Warren BANDA with violations of:

- 18 U.S.C. § 1542: False Statements in Application for U.S. passport;
- 18 U.S.C. § 1028A: Aggravated identity theft;
- 18 U.S.C. § 1001: Making false statements to the United States Government;
- 18 U.S.C. § 911: Falsely and willfully represents himself to be a citizen of the United States

4. Defendant, Warren BANDA, is a native and citizen of Zambia, and a self-proclaimed resident of Sterling Heights, Michigan. Per United States Citizenship and Immigration Services' records, Warren BANDA is listed as a Lawful Permanent Resident within the United States.

5. The U.S. Department of State (DOS) issues passports and passports on behalf of the United States government. Passports are considered official identity documents that can be used for international travel but also can be used for domestic travel and other purposes. A passport can be used as proof of United States citizenship and can be used as a means of accessing other benefits.

6. On July 9, 2023, an individual, later identified as Warren BANDA, was arrested by the Taylor Police Department in Taylor, Michigan for theft of a motor vehicle. BANDA used Michigan driver's license issued by the Michigan Secretary of State to test drive a vehicle at Paramount Motors in Taylor, Michigan. The Michigan driver's license was issued under the name "Christian Lafate GALMON" yet it contained an image of Warren BANDA. He then departed the dealership with the vehicle. After BANDA's arrest, Taylor Police discovered several identity documents with various names, including U.S. Passport Book #A****5520 listed under the name of "Christian Lafate GALMON."

The following items were recovered by Taylor Police Detectives during their investigation and confirmed by BANDA to be his possessions after his arrest:

- a. Black bag
- b. Orange folder
- c. White Apple iPhone
- d. U.S. Passport #A****5520 listed under "Christian Lafate Galmon"
- e. Zambian Passport #ZN****69 listed under "Warren BANDA"
- f. Zambia National Registration Card #731 61 3/1 0/1 listed under "Warren BANDA"
- g. Identity Documents with photographs containing the image of Warren BANDA:

MI DL – Nathaniel Pearl

MI DL – Tyler Lane Mallet
MI DL – Jonathan Guy Azoulai
GA DL – Jeffrey Daniel Schulze

h. Social Security Cards:

Warren Banda (***-**-8863)
Myles Brewington (***-**-6329)

i. Citi Credit Cards:

Nathaniel Pearl (5436 7800 1220 5649)
Tyler L Mallet (5436 7800 1220 5649)

j. Visa Debit Cards:

Logan Fraley (4879 1700 3129 1330) (Varo)
Logan Fraley (4403 9350 1856 7778)

k. Money Network – Hirequest (4727 7602 0471 5448)

l. Birth certificates:

Texas - Myles Brewington
Louisiana – Christian Lafate Galmon

m. Miscellaneous other documents

7. On July 11, 2023, BANDA was interviewed at the Taylor, Michigan Police Department. BANDA waived his Miranda Rights and agreed to speak with Taylor Police Detectives Mario Hinojosa and Matthew Oliver, F.B.I. Task Force Officer Scott McIntyre, and Diplomatic Security Service (DSS) Special Agent (SA) James Herdman. BANDA reported that he did steal the vehicle from the dealership and that the fraudulent documents discovered within the vehicle during his arrest were his. BANDA claimed that he purchased the fraudulent identities including the U.S. Passport Book #A****5520 listed under the name of "Christian Lafate GALMON." BANDA admitted that the passport's photograph was his and the name on the document was not his identity. BANDA asserted that his listed address was 34731 Moravian Dr., APT 202, in Sterling Heights, Michigan 48312 (Note: This address matches the address listed for U.S. Passport Application #562149000).

**DETAILS CONCERNING THE ISSUANCE OF THE "CHRISTIAN GALMON"
U.S. PASSPORT TO WARREN BANDA**

8. On October 25, 2022, an individual purporting to be Christian Lafate GALMON, later identified as BANDA, submitted Form DS-11, Application for a U.S. Passport #562149000 at the Detroit Passport Agency (DPA) in Detroit, Michigan. BANDA falsely represented himself as a U.S. Citizen, swore under oath to the acceptance clerk that the information on the passport application was true, the photograph attached to the passport application was a true likeness of him, and then signed the application in the presence of the acceptance clerk. BANDA also signed a Statement Regarding a Lost or Stolen Passport Book and falsely claimed he lost his U.S. Passport at a concert in Detroit, Michigan on October 16, 2022.

9. On October 27, 2022, BANDA returned to the DPA and signed the receipt for the passport as "Christian GALMON." A full-valid U.S. Passport Book #A****5520 was issued to BANDA in the GALMON identity on October 26, 2022.

10. On July 28, 2023, Diplomatic Security Service (DSS) Dallas Resident Office (DRO) SA Nicholas Hicks and SA David McCarthy interviewed the real Christian GALMON. GALMON provided a Texas Driver's License #****8968, U.S. Passport Book #****2998 and other items as proof of identity. Before to the interview, GALMON was provided with a DS7687 false statement warning form, which he read and signed in front of the agents. GALMON brought with him an original copy of his birth certificate from Louisiana, a social security card, a high school yearbook, an elementary class photograph, and a passport. He also brought pictures of himself, his mother, and his brother.

11. GALMON explained he first noticed that he believed that his identity was compromised in August 2022, when he observed two credit cards opened in his name in Oklahoma and Michigan. He noted that someone using his name purchased a vehicle from a car dealership in Oklahoma. GALMON said he believed it was the same person who was arrested in Michigan. GALMON said he determined the imposter opened credit cards in both Oklahoma and Michigan. He said he was certain the credit card opened in Michigan was through the Bank of the West. One of the addresses identified was 34731 Moravian Dr., APT 202, Sterling Heights, MI 48312 (the address assertedly by BANDA to be his local address).

12. GALMON estimated he had lost several thousand dollars and been penalized with additional fees and higher interest rates because of the imposter using his identity. The amount of loss is estimated to be around \$30,000. GALMON stated he had not sold his identity to anyone and had not allowed any other persons to use his identity for any reason. GALMON explained he had never been to Michigan, nor did he know of anyone who lived there. Since this financial compromise, GALMON filed several bank and police reports.

13. On August 23, 2023, SA Herdman recovered the receipt of U.S. Passport Book #A****5520 from the Detroit Passport Agency (DPA). The receipt confirms the applicant (later identified as BANDA), physically picked up the passport at the DPA on October 27, 2022.

14. BANDA remains in custody in Wayne County Jail for sentencing at the 3rd Circuit Court (Case #23-003828-01-FH). He has plead guilty to one count of Unlawful Driving Away of a Motor Vehicle – a felony offence.¹ All documents recovered from this investigation, including the U.S. passport, are currently held as evidence at the Taylor Police Department.

¹ This incident is not BANDA's first contact with the legal system nor his first involvement with the theft of motor vehicles. In Washington, BANDA was arrested on March 9, 2018, for Robbery after he physically pulled an Uber driver (an elderly female) from her car and fled in the Uber driver's vehicle. He was released on bond. While still on bond, BANDA was arrested for a second time because of an incident that took place a week later.

On March 16, 2018, this time BANDA tried to steal vehicle from Lyft driver as driver was placing BANDA's bag (plastic bag with sandbags) in trunk. As BANDA started to drive off, the driver tried to get car back. BANDA repeatedly punched Lyft driver in face. The Lyft driver was able to force car to stop. BANDA then got out of the car and armed self with wood stake and tried to hit the Lyft driver. The Lyft driver was able to subdue BANDA until the police arrived.

BANDA pled guilty to auto theft related and assault offenses. He was sentenced to jail and community confinement. A warrant is currently pending against BANDA for violating the condition of his community confinement as he fled the Washington area. There are also outstanding arrest warrants for BANDA in Colorado (Possession of forged document, Receiving stolen property and Bribery) and Oregon (Failure to appear).

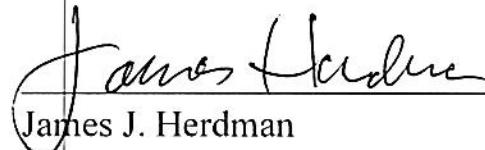
15. Based on the above information, probable cause exists to believe that:

- a. On October 25, 2022, at the Detroit Passport Agency in Detroit, Michigan, Warren BANDA willfully and knowingly made false statements in applying for a United States passport, contrary to the laws regulating the issuance of passports or the rules prescribed according to such laws, in violation of Title 18 USC § 1542, by providing a legitimate State of Louisiana birth certificate purporting to be Christian Lafate GALMON and represented himself as a U.S. Citizen. BANDA presented a legitimate Michigan Driver's License #G *** * 036 identified under the name of Christian Lafate GALMON; he swore under oath to the acceptance clerk that the information on the passport application was true and the photograph attached to the passport application was a true likeliness of him and then signed the application in the presence of the acceptance clerk.
- b. On October 25, 2022, at the Detroit Passport Agency, Warren BANDA knowingly made false statements, with the intent to obtain a benefit on behalf of himself, to wit: to obtain a United States passport, in violation of Title § 1028A, by knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, or in connection with, any unlawful activity that constitutes a violation of Federal law, or that constitutes a felony under any applicable State or local law; by providing documents identified under the name of Christian Lafate GALMON, falsely representing to passport officials his date of birth. Warren BANDA also signed a Statement Regarding a Lost or Stolen Passport Book and falsely claimed he lost his U.S. passport at a concert on October 16, 2022.
- c. On October 25, 2022, at the Detroit Passport Agency, Warren BANDA knowingly made false statements, with the intent to obtain a benefit on behalf of himself, to wit: to obtain a United States passport, in violation of Title 18 USC § 1001 by providing documents identified under the

name of Christian Lafate GALMON, falsely representing to passport officials his date of birth. Warren BANDA also signed a Statement Regarding a Lost or Stolen Passport Book and falsely claimed he lost his U.S. passport at a concert on October 16, 2022.

- d. On October 25, 2022, at the Detroit Passport Agency in Detroit, Michigan, Warren BANDA did willfully and knowingly make false statements to wit: in applying for a U.S. passport, contrary to the laws regulating the issuance of passports or the rules prescribed under such laws, to wit: in violation of Title 18 USC § 911, by providing a State of Louisiana birth certificate purporting to be Christian Lafate GALMON and represented himself as a U.S. Citizen. BANDA presented Michigan Driver's License #G *** *** *** 036 identified under the name of Christian Lafate GALMON; he swore under oath to the acceptance clerk that the information on the passport application was true and the photograph attached to the passport application was a true likeness of him. He then signed the application in the presence of the acceptance clerk.

All violate Title 18 United States Codes Section's 1542, 1028A, 1001, and 911.



James J. Herdman

Special Agent

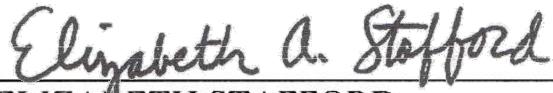
Task Force Officer

U.S. Department of State

Diplomatic Security Service

DHS Alliance Task Force

Subscribed and sworn to before me in my presence and/or by reliable electronic means on:



ELIZABETH STAFFORD

UNITED STATES MAGISTRATE JUDGE